

DECLARATION AND POWER OF ATTORNEY

COPY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEMS AND METHODS FOR ELECTROSURGICAL TISSUE CONTRACTION WITHIN THE SPINE** the specification of which X is attached hereto or ___ was filed on ___ as Application No. ___ and was amended on ___ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes ___ No ___

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/690,159	July 18, 1996	_ Patented <u>X</u> Pending _ Abandoned
08/942,580	October 2, 1997	_ Patented <u>X</u> Pending _ Abandoned
<i>unassigned</i>	December 15, 1997	_ Patented <u>X</u> Pending _ Abandoned
		_ Patented _ Pending _ Abandoned
		_ Patented _ Pending _ Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

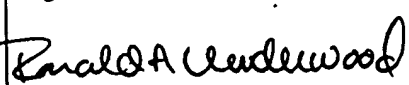


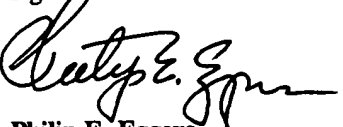
John T. Raffle, Reg. No. 38,585

Jim Heslin, Reg. No. 29,541

Send Correspondence to: ArthroCare Corporation 595 N. Pastoria Avenue Sunnyvale, California 94086	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: John T. Raffle Reg. No.: 38,585 Telephone: (408) 736-0224
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Full Name of Inventor 1	Last Name UNDERWOOD	First Name RONALD	Middle Name or Initial A.	
Residence & Citizenship	City Belmont	State/Foreign Country California	Country of Citizenship United States of America	
Post Office Address	Post Office Address 2628 Sequoia Way	City Belmont	State/Country California	Zip Code 94002
Full Name of Inventor 2	Last Name DAVISON	First Name TERRY	Middle Name or Initial S.	
Residence & Citizenship	City Cupertino	State/Foreign Country California	Country of Citizenship Canada	
Post Office Address	Post Office Address 10398 #B Meadow Place	City Cupertino	State/Country California	Zip Code 95014
Full Name of Inventor 3	Last Name THAPLIYAL	First Name HIRA	Middle Name or Initial V.	
Residence & Citizenship	City Los Altos	State/Foreign Country California	Country of Citizenship United States of America	
Post Office Address	Post Office Address 1192 Volti Lane	City Los Altos	State/Country California	Zip Code 94024
Full Name of Inventor 4	Last Name EGGERS	First Name PHILIP	Middle Name or Initial E.	
Residence & Citizenship	City Dublin	State/Foreign Country Ohio	Country of Citizenship United States of America	
Post Office Address	Post Office Address 5366 Reserve Drive	City Dublin	State/Country Ohio	Zip Code 43017

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Ronald A. Underwood	Signature of Inventor 2  Terry S. Davison	Signature of Inventor 3  Hira V. Thapliyal
Date 2-19-98	Date 2-19-98	Date 2-19-98
Signature of Inventor 4  Philip E. Eggers		
Date 2-20-98	Date	Date

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

Applicant or Patentee: Ronald A. Underwood et al.Application or Patent No.: unassignedFiled or Issued: herewithTitle: SYSTEMS AND METHODS FOR ELECTROSURGICAL TISSUE CONTRACTION WITHIN THE SPINE

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I hereby declare that I am:

☐ the owner of the small business concern identified below:☒ an official of the small business concern empowered to act on behalf of the concern

identified below:

Name of Small Business Concern: ArthroCare CorporationAddress of Small Business Concern: 595 N. Pastoria Avenue, Sunnyvale, California 94086

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SYSTEMS AND METHODS FOR ELECTROSURGICAL TISSUE CONTRACTION WITHIN THE SPINE by inventor(s) Ronald A. Underwood, Terry S. Davison, Hira V. Thapliyal and Philip E. Eggers described in:

☒ the specification filed herewith.☐ Application No. _____, filed _____.☐ Patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name _____

Address _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

Name _____

Address _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Christine HänniTitle of Person if Other than Owner: Chief Financial OfficerAddress of Person Signing: 595 N. Pastoria Ave., Sunnyvale, CA 94086

Signature _____

Date 2-19-98

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